IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

MONDAY, THE 12TH NOVEMBER 2007 / 21ST KARTHIKA 1929

WP(C).No. 33274 of 2007(J)

PETITIONER:

W.AUSTIN,S/O.J.WILSON
GRACE COTTAGE, MANNAMOOLA
PEROORKADA (P.O) TRIVANDRUM.

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.RAJAN VELLOTH
SRI.A.S.SABU

RESPONDENTS:
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1. **THE BRANCH MANAGER**
   THE CATHOLIC SYRIAN BANK LIMITED
   MANNANTHALA, TRIVANDRUM.

2. **DEPUTY TAHSILDAR (R.R.)**
   THIRUVANANTHAPURAM.

BY ADV. SRI.B.S.KRISHNAN, SC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI,J.

W.P (C) No. 33274 of 2007

Dated this the 12th November, 2007

J U D G M E N T

Though the challenge is against the notices under the Revenue Recovery Act, I am of the view that since the main dispute is between the petitioner and the 1st respondent, which is a Scheduled Bank, the writ petition is not maintainable in the light of the decision of the Supreme Court in **Federal Bank Ltd Vs. Sagar Thomas [2003 (3) KLT 876].** The writ petition is therefore, dismissed. Nevertheless, I also record the submission made by the Standing Counsel for the 1st respondent that petitioner's prayer for instalment facility will be considered taking note of the fact that he is a physically handicapped person.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007V.GIRI,J.

W.P (C) No. 33274 of 2007

Dated this the 12th November, 2007

J U D G M E N T

Though the challenge against the notices under the Revenue Recovery Act, I am of the view that since the main dispute is between the petitioner and the 1st respondent, which is a Scheduled Bank, the writ petition is not maintainable in the light of the decision of the Supreme Court in **Federal Bank Ltd Vs. Sagar Thomas [2003 (3) KLT 876].** The writ petition is therefore, dismissed. Nevertheless, I also recorded the submission made by the Standing Counsel for the 1st respondent. Petitioner's pray for instalment facility be considered and the decision will be communicated to the petitioner taking note of the fact that he is a physically handicapped person.

(V.GIRI, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007